

Alisa Silverstein

From: Joel Robinson [JRobinson@robbyablaw.com]
Sent: Thursday, May 24, 2007 11:27 AM
To: Alisa Silverstein; Andrew Laskin
Cc: Gary Trachten
Subject: RE: Burke v. Rodriguez

Make your application to the Court as you are quite unreasonable. Do not ask us for another courtesy on this case.....ever.

From: Alisa Silverstein [mailto:asilverstein@kudmanlaw.com]
Sent: Thursday, May 24, 2007 11:25 AM
To: Andrew Laskin
Cc: Joel Robinson; Gary Trachten
Subject: RE: Burke v. Rodriguez

We have no obligation to confer and have no intention of doing so. If you do not withdraw the subpoena today, we will move by order to show cause to quash the subpoena and seek sanctions given the clarity of the rules and the case law we provided. Please send me written proof of your communication with Morgan Stanley and provide us with the name of who at Morgan Stanley you have communicated with.

From: Andrew Laskin [mailto:ALaskin@robbyablaw.com]
Sent: Thursday, May 24, 2007 11:16 AM
To: Andrew Laskin; Alisa Silverstein
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

Again, I am leaving town on business with my colleague. I will again say that I can discuss this with you first thing Tues morning. There has been no compliance with the subpoena. We have advised Morgan Stanley not to comply with the subpoena until after you and I have met and conferred.

Andrew M. Laskin, Esq.
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Robinson & Yablon, P.C.
232 Madison Avenue, Suite 1200
New York, New York 10016

tel 212 725-8566
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From: Andrew Laskin
Sent: Thursday, May 24, 2007 10:05 AM
To: 'Alisa Silverstein'
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

We will simply file an amended complaint.

5/24/2007

My colleague and I are going out of town for business this afternoon. I am available to meet with you on Tuesday should you wish to discuss the subpoena. I believe your office is three blocks away. If Tuesday does not work for you, please let me know when you can meet.

Andrew M. Laskin, Esq.
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From: Alisa Silverstein [<mailto:asilverstein@kudmanlaw.com>]
Sent: Thursday, May 24, 2007 10:00 AM
To: Andrew Laskin
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

Send me the stipulation. What do you plan to do about the subpoena?

From: Andrew Laskin [<mailto:ALaskin@robyablalaw.com>]
Sent: Thursday, May 24, 2007 10:56 AM
To: Alisa Silverstein
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

I was simply asking whether you would sign a stipulation so I dont have to file an amended pleading. Will you do so?

Andrew M. Laskin, Esq.
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From: Alisa Silverstein [<mailto:asilverstein@kudmanlaw.com>]
Sent: Thursday, May 24, 2007 9:53 AM
To: Andrew Laskin
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

I don't need to so stipulate. Rule 15 allows you to amend the pleading as a matter of course at any time before a responsive pleading is served. We will be e-filing our notice of appearance today. I will be happy to accept service of the amended pleading.

5/24/2007

From: Andrew Laskin [mailto:ALaskin@robbyablaw.com]
Sent: Thursday, May 24, 2007 10:44 AM
To: Alisa Silverstein
Cc: Joel Robinson
Subject: RE: Burke v. Rodriguez

Counselor- I have read your letter. I am not withdrawing the subpoena until and unless you provide us with some legal basis for your objection to a non-party subpoena being served. As for the allegations in the letter, I think Mr. Robinson said it best. When you called me, I promptly gave you the courtesy of an extension of time. I have now asked you to stipulate to correct the errors in Par. 14 of the complaint before you answer. Are you refusing to so stipulate?

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From: Alisa Silverstein [mailto:asilverstein@kudmanlaw.com]
Sent: Thursday, May 24, 2007 8:44 AM
To: Andrew Laskin
Cc: Joel Robinson
Subject: Burke v. Rodriguez

Please see attached letter

Alisa L. Silverstein
Kudman Trachten Aloe LLP
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To: 'Joel Robinson'; Andrew Laskin
Cc: Gary Trachten
Subject: RE: Burke v. Rodriguez

Although I believe the Rule speaks for itself, see also *Crutcher v. Fidelity National Ins. Co.*, 2007 WL 430655 (E.D.La.) and the cases cited therein.

From: Joel Robinson [mailto:JRobinson@robbyablaw.com]
Sent: Thursday, May 24, 2007 10:02 AM
To: Alisa Silverstein; Andrew Laskin
Subject: RE: Burke v. Rodriguez

Please send your case law which supports the position about the subpoena being prematurely served against a non-party. As far as the things your client has said to you, be careful what you believe....

Joel H. Robinson, Esq.
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Sent: Thursday, May 24, 2007 9:44 AM
To: Andrew Laskin
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Subject: Burke v. Rodriguez

Please see attached letter

Alisa L. Silverstein
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